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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 PAUL PATRICK JOLIVETTE,

12 Petitioner,

13 v.

14 JOSIE GASTELO, Warden,

15 Respondent.
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No. 2:20-cv-1670-JAM-EFB P

ORDER

17 Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas
18 corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate
19 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20 On September 23, 2020, the magistrate judge filed findings and recommendations herein
21 which were served on petitioner and which contained notice to petitioner that any objections to
22 the findings and recommendations were to be filed within fourteen days. Petitioner has filed
23 objections to the findings and recommendations.

24 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this
25 court has conducted a de novo review of this case. Having carefully reviewed the entire file, the
26 court finds the findings and recommendations to be supported by the record and by proper
27 analysis.

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1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The findings and recommendations filed September 23, 2020, are adopted in full;
- 3 2. This action is dismissed for lack of jurisdiction;
- 4 3. The Clerk is directed to close the case; and
- 5 4. The court declines to issue a certificate of appealability.
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8 DATED: December 7, 2020

/s/ John A. Mendez

9 THE HONORABLE JOHN A. MENDEZ

10 UNITED STATES DISTRICT COURT JUDGE

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